

CHAPTER NO. 667

SENATE BILL NO. 2369

By Ramsey

Substituted for: House Bill No. 2511

By Westmoreland, Godsey, Todd

AN ACT To amend Tennessee Code Annotated, Title 39, Chapter 13, Part 6, relative to certain offenses involving invasion of privacy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 6, is amended by adding the following as a new section:

Section 39-13-6__.

(a) It is an offense for a person to knowingly spy upon, observe or otherwise view an individual, when such individual is in a place where there is a reasonable expectation of privacy, without the prior effective consent of such individual, if such viewing:

(1) Would offend or embarrass an ordinary person if such person knew they were being viewed; and

(2) Was for the purpose of sexual arousal or gratification of the defendant.

(b) It is not a defense to a violation of this section that the defendant was lawfully on the premises where the offense occurred.

(c) If the person being viewed is a minor, this section is violated regardless of whether the minor or the minor's parent or guardian consented to the viewing.

(d) A violation of this section is a Class A misdemeanor.


SECTION 2. Tennessee Code Annotated, Section 39-13-605(a)(2), is amended by deleting the words and punctuation "sexual arousal and gratification of the defendant." and by substituting instead the following:

sexual arousal or gratification of the defendant.

SECTION 3. This act shall take effect July 1, 2000, the public welfare requiring it.

PASSED: April 10, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of April 2000


DON SUNDQUIST, GOVERNOR